

EI-2621 1(6)
C6



SURFACE TRANSPORTATION BOARD

Washington, DC 20423
Section of Environmental Analysis

Hopi Tribe
P.O. Box 123
Kykotsmovi, AZ 86039

To: Chairman Wayne Taylor

From: Catherine Glidden, Surface Transportation Board

Date: November 20, 2006

Subject: Section 106 Consultations in Finance Docket No. 34075, Six County
Association of Governments – Construction and Operation – Rail Line between
Levan and Salina, Utah

The Surface Transportation Board's Section of Environmental Analysis (SEA) is in the process of preparing an Environmental Impact Statement (EIS) for a proposed 43-mile rail line that would run through Sanpete, Sevier, and Juab Counties in Utah (see attached map). The EIS is being completed pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the project area and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of NHPA.

Two rail corridors, Alternate B and Alternate C, are currently under consideration for the railroad construction project including the No Action Alternative (Alternative A). Alternate B consists of the 45-mile line route situated between an existing Union Pacific Railroad line near Juab, Utah and a proposed coal transfer terminal facility near Salina, Utah. Alternate C extends from the southern end of the project area north approximately 14 miles before connecting with Alternate B.

A cultural resources inventory survey for the Central Utah Railroad project was completed by Montgomery Archaeological Consultants (MOAC) on behalf of SEA in September of 2005. The draft document, *Cultural Resource Inventory of the Central Utah Railroad Project in Sevier, Sanpete and Juab Counties, Utah*, indicates that the proposed rail line under any alternatives would cross an area that is archaeologically rich. The survey identified 55 historic and prehistoric sites/properties in the Area of Potential

Effect.¹ A summary of the sites identified in the project area is enclosed with this letter. We would value any information you could provide to us regarding the project area, especially if any of the sites has importance to your tribe as traditional cultural properties.

Kindly respond within 45 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106 purposes and receiving a copy of the full cultural resources survey report. Please also inform us if you do not wish to receive additional information regarding the project. We look forward to working with you to ensure that your concerns are included as part of the Section 106 and NEPA processes.

If you have any questions regarding this letter or require further information, please do not hesitate to call me at (202) 565-1542 (gliddenc@stb.dot.gov). If you prefer, you can also call Dana Holmes ((801) 743-7813) of HDR Engineering, who is assisting SEA in completing the environmental documentation for this project. For additional information about the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,



Catherine Glidden
Environmental Protection Specialist
Section of Environmental Analysis

Enclosures: Project Map and Table of Resources
cc: Mathew T. Seddon, Ph.D., RPA (without enclosures)

¹ The project APE consists of a 160 foot wide corridor along the majority of both Alternate B and Alternate C. The APE expands to a 900 feet corridor where the northern and southern portions of the routes meet up with the existing rail lines (see Map). The project area is located on Federal (Bureau of Land Management), state and private lands.

THE HOPI TRIBE



Hopi Cultural Preservation Office
P.O. Bo 123
Kykotsmovi, AZ 86039
(928) 734-3613
FAX: (928) 734-3629

EI-2621

3(6)

Ivan L. Sidney
CHAIRMAN

Todd Honyaoma, Sr.
VICE-CHAIRMAN

June 27, 2006

Victoria Rutson, Chief, Section of Environmental Analysis
Surface Transportation Board
Washington, DC 20423

Dear Ms. Rutson,

Thank you for your correspondence dated May 30, 2006, regarding Finance Docket No. 34075, Six County Association of Governments, Construction and Operation -- 59-mile Rail Line between Levan and Salina, Utah. As you know from our July 1, 2001, and April 13, 2003, letters on this project, the Hopi Tribe claims cultural affiliation to the Fremont and Ancestral Pueblo prehistoric cultural group in this project area, known to Hopi people as Hisatsinom, or People of Long Ago.

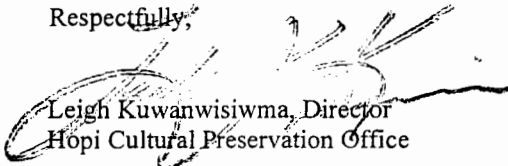
As you also know from our April 13, 2003, letter, the Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we request consultation on proposed impacts to archaeological sites and cultural resources that are our ancestral sites and Traditional Cultural Properties. Therefore, we appreciate the Surface Transportation Board's continuing solicitation of our input and your efforts to address our concerns.

We have reviewed the enclosed cultural resources inventory report by Montgomery Archaeological Consultants that identifies by our accounting from Table 1. Archaeological Sites Within the Central Utah Railroad Project Area, 16 prehistoric sites recommended as eligible for listing on the National Register and described as lithic scatters, 10 prehistoric sites recommended as eligible and described as temporary camps, and 1 prehistoric site recommended as eligible and described as a habitation site. In addition there are 8 prehistoric sites described as lithic scatters that are recommended as ineligible for listing on the National Register.

Therefore, we have determined that this project is likely to adversely affect cultural resources significant to the Hopi Tribe, and request additional consultation. Please provide us with a copy of the draft cultural resources treatment plan for review and comment.

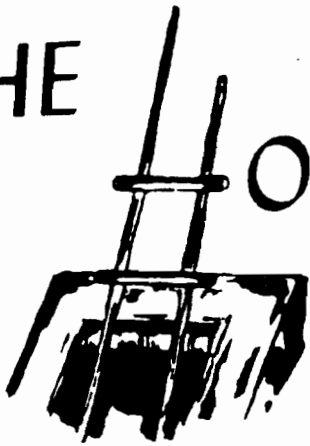
Should you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office. Thank you for your consideration.

Respectfully,


Leigh Kuwanwisiwma, Director
Hopi Cultural Preservation Office

xc: HDR Engineering, 3995 South, 700 East, Suite 100, SLC, UT 84107-2594

THE



HOPI TRIBE

EI-2621 4(6)

Wayne Taylor, Jr.

CHAIRMAN

Elgean Joshevama

VICE-CHAIRMAN

April 13, 2003

Rick Black
HDR Engineering Inc.
33995 South 700 East, Suite 100
Salt Lake City, Utah 84107-2594
Attention: Finance Docket No. 34075 - Environmental Comments

Re: Finance Docket No. 34075, Six County Association of Governments
Construction and Operation - Rail Line between Levan and Salina, Utah

Dear Mr. Black,

This letter is in response to an April 1, 2003, correspondence to the Hopi Cultural Preservation Office from the Surface Transportation Board regarding their initiating an environmental review of the project described above.

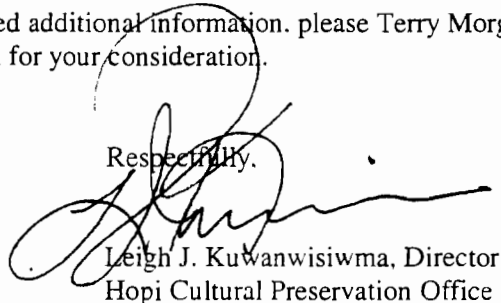
In the enclosed letter dated July 2, 2001, the Hopi Cultural Preservation Office responded to a correspondence from Sagebrush Consultants on this proposal, and on July 16, 2001, we met with representatives of the Six County Association of Governments and Sevier.

Because of the of the reasons cited in our July 2, 2001, letter, the Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites, and requests consultation on proposed impacts to archeological sites and cultural resources that are our ancestral sites and traditional cultural properties. Therefore, we appreciate Surface Transportation Board and HDR's solicitation of our input and your efforts to address our concerns.

And therefore, to assist us in determining if there are prehistoric properties in the proposed project area that are significant to the Hopi Tribe, we continue to look forward to receiving a copy of the archaeological survey and any information regarding project impacts on identified resources for review and comment.

If you have any questions or need additional information, please Terry Morgart at the Hopi Cultural Preservation Office. Thank you for your consideration.

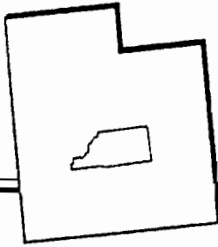
Respectfully,



Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

Enclosure: July 2, 2001, letter to Sagebrush Consultants

xc: Victoria Rutson, Chief, Section of Environmental Analysis, Surface Transportation Board
Russell J. Cowley, SCAOG, Sevier County Courthouse, P.O. Box 820, 250 North Main, Richfield, UT 84701
Malcolm Nash, Director, Sevier County, Economic Development, 250 North Main, Richfield, UT 84701



5(6)
EI-2621
Sevier County Economic Development

250 N. Main • Richfield, UT 84701

Phone: 435-893-0454 • Fax: 435-893-0495

Email: sevierutah@hotmail.com

July 5, 2001

Mr. Leigh Kuwanwisiwma
Cultural Preservation Office
Hopi Tribe
PO Box 123
Kykostimovi AZ 86039

TOP SECRET (S)

July 5, 2001

Sevier County Economic Development
Cultural Preservation Office

Dear Mr. Kuwanwisiwma:

This letter is to provide some background information on the Central Utah Rail Project. Mr. Emery Polelonema requested that I send this information to you prior to our visit at your office later this month.

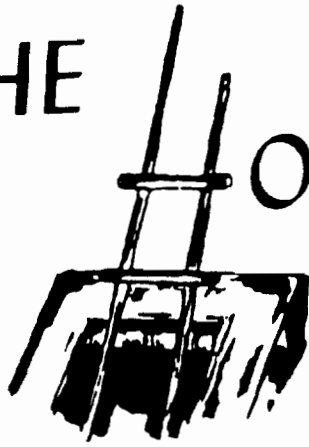
The enclosed documents each outline the project in different ways. Each tends to emphasize different parts of the project and its overall scope.

Please feel free to call me to discuss this further. I look forward to meeting with you personally.

Sincerely,

Malcolm R. Nash
Director

THE



OPI TRIBE

FI-2621

6(6)

Wayne Taylor, Jr.
CHAIRMAN

Phillip R. Quochoytewa, Sr.
VICE-CHAIRMAN

July 2, 2001

Michael R. Polk, M.A., RPA, Principal Archaeologist, Owner
Sagebrush Consultants, L.L.C.
3670 Quincy Avenue, Suite 203
Ogden, Utah 84403

Dear Mr. Polk,

Thank you for your letter dated June 25, 2001, regarding a proposal by several counties and agencies in Cental Utah to re-establish a rail line from Levan to Salina through Juab, Sanpete and Sevier Counties, over about 60 miles. The Hopi Tribe claims cultural affiliation to prehistoric cultural groups in Utah, and therefore we appreciate your solicitation our input and your efforts to address our concerns.

The Hopi Tribe considers our ancestral villages, referred to as archaeological sites, to be Hopi Traditional Cultural Places. Other Hopi Traditional Cultural Places associated with our ancestral and modern Villages are shrines, trails, rock markings, and traditional gathering places. Hopi people consider prehistoric archaeological sites and isolated occurrences to be the "footprints" of our ancestors, and we do not consider our ancestral Villages to be "abandoned."

Therefore, the Hopi Cultural Preservation appreciates your request for our assistance, and we accept your invitation to participate as a consulting party during the development of the environmental document. To assist us in determining if there are prehistoric properties or Traditional Cultural Places in this area of potential effect, please provide us with a copy of a cultural resources survey, along with information regarding project impacts on identified resources, for review and comment.

If you have any questions or need additional information, please contact Clay Hamilton at the Hopi Cultural Preservation Office at 520-734-3762. Thank you again for your consideration.

Respectfully,

Leigh J. Kuwanwisiwma, Director
Cultural Preservation Office

cc: Clay Hamilton, HCPO